

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PHILIP MOLLICHELLA,**

*Plaintiff*

v.

**WEST BRANDYWINE TOWNSHIP  
MUNICIPAL AUTHORITY, ET AL.,**

*Defendants*

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: Case No. 18-cv-4868-JMY  
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**ORDER**

**AND NOW**, this 16th day of April, 2020, upon consideration of Defendants' Motion to Dismiss (ECF No. 30), and all documents submitted in support thereof and in opposition thereto, it is hereby **ORDERED** that Defendants' Motion is **GRANTED** in part and **DENIED** in part as follows: Count I is **DISMISSED WITHOUT PREJUDICE**; and Count III is **DISMISSED WITH PREJUDICE**.

Plaintiff may file a Third Amended Complaint consistent with this Order, if desired, on or before **April 30, 2020**.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ John Milton Younge

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**Judge John Milton Younge**